

In the Claims:

Please cancel claims 6 and 13 without prejudice.

1. (currently amended) A method for providing voice communications over a packet-based data communication network, comprising:

receiving a call request;

~~determining whether a total delay for the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for packets in the requested call;~~

determining whether the requested call would span a gateway connecting a local network to an external network; and

in response to a determination that the event that the requested call would not span the gateway connecting the local network to the external network, the packetization delay can be increased without the total delay exceeding the maximum delay, increasing a size of packets used in the call.

2. (currently amended) The method of claim 1, further comprising:

~~wherein said determining whether said a total delay for the requested call would exceed a said predetermined maximum delay- if a packetization delay component is increased for the requested call~~is responsive to stored information in a call server system indicating whether a called party phone is local to a calling party phone; and

increasing the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

3. (currently amended) The method of claim 1, further comprising:

~~wherein said~~ determining whether ~~asaid~~ total delay of the requested call would exceed ~~asaid~~ predetermined maximum delay if a packetization delay component is increased for the requested call is responsive to a directory number of a calling party phone and a directory number of a called party phone; and

increasing the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

4. (original) The method of claim 1, further comprising determining whether a calling party phone and a called party phone can process an increased packet size, and only increasing said size of packets used in the call in the event that both said calling party phone and said called party phone can process said increased packet size.

5. (original) The method of claim 1, wherein said increasing said size of packets used in said call comprises increasing said size of packets used in said call to a packet size above a default packet size.

6. (cancelled)

7. (currently amended) The method of claim 24, wherein said maximum delay is a value that cannot be exceeded without adversely impacting the voice quality of the call.

8. (currently amended) A system for providing voice communications over a packet-based data communication network, comprising:

request processing logic operable to receive a call request;

~~delay determining logic operable to determine whether a total delay for the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for packets in the requested call;~~

gateway determining logic operable to determine whether the requested call would span a gateway connecting a local network to an external network; and

packet size increasing logic, operable ~~responsive to a determination in the event that the packetization delay can be increased without the total delay exceeding the maximum delay, that the requested call would not span the gateway connecting the local network to the external network,~~ to increase a size of packets used in the call.

9. (currently amended) The system of claim 8, further comprising:

~~wherein said delay determining logic is further operable to determine whether said total delay for the requested call would exceed said predetermined maximum delay if a packetization delay component is increased for the requested call~~ responsive to stored information in a call server system indicating whether a called party phone is local to a calling party phone; and

wherein the packet size increasing logic increases the size of packets used in the requested call only in the event that the packetization delay for the request call can be increased without exceeding the predetermined maximum delay.

10. (currently amended) The system of claim 8, further comprising:

~~wherein said~~ delay determining logic ~~is further~~ operable to determine whether ~~asaid~~ total delay of the requested call would exceed ~~asaid~~ predetermined maximum delay if a packetization delay component is increased for the requested call responsive to a directory number of a calling party phone and a directory number of a called party phone; and

wherein the packet size increasing logic increases the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

11. (currently amended) The system of claim 8, wherein said ~~packet size increasing delay determining~~ logic is further operable to determine whether a calling party phone and a called party phone can process an increased packet size, and wherein said packet size increasing logic is only operable to increase said size of packets used in the call in the event that both said calling party phone and said called party phone can process said increased packet size.

12. (original) The system of claim 8, wherein said packet size increasing logic is further operable to increase said size of packets used in said call by increasing said size of packets used in said call to a packet size above a default packet size.

13. (cancelled)

14. (currently amended) The system of claim ~~98~~, wherein said maximum delay is a value that cannot be exceeded without adversely impacting the voice quality of the call.

Please add the following new claims:

15. (new) The method of claim 1, further comprising:

wherein the gateway connecting the local network to the external network is a virtual private network gateway;

wherein the local network is a wireless network;

wherein the external network is the internet;

wherein a calling party phone for the requested call is located on the wireless network;

and

wherein determining whether the requested call would span a gateway connecting a local network to an external network further comprises determining whether a called party phone terminating the requested call is being used remotely on the external network through the virtual private network gateway.

16. (new) The method of claim 1, further comprising:

wherein the gateway connecting the local network to the external network is a virtual private network gateway;

wherein the local network is a wireless network;

wherein the external network is the internet;

wherein a called party phone terminating the requested call is located on the wireless network; and

wherein determining whether the requested call would span a gateway connecting a local network to an external network further comprises determining whether a calling party phone for the requested call is being used remotely on the external network through the virtual private network gateway.

17. (new) The system of claim 8, further comprising:

wherein the gateway connecting the local network to the external network is a virtual private network gateway;

wherein the local network is a wireless network;

wherein the external network is the internet;

wherein a calling party phone for the requested call is located on the wireless network; and

wherein the gateway determining logic is further operable to determine whether the requested call would span the gateway connecting the local network to the external network by determining whether a called party phone terminating the requested call is being used remotely on the external network through the virtual private network gateway.

18. (new) The system of claim 8, further comprising:

wherein the gateway connecting the local network to the external network is a virtual private network gateway;

wherein the local network is a wireless network;

wherein the external network is the internet;

wherein a called party phone terminating the requested call is located on the wireless network; and

wherein the gateway determining logic is further operable to determine whether the requested call would span a gateway connecting a local network to an external network by determining whether a calling party phone for the requested call is being used remotely on the external network through the virtual private network gateway.